



BANNER & WITCOFF, LTD.
INTELLECTUAL PROPERTY LAW

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FACSIMILE TRANSMITTAL SHEET

To:	FROM:
Office of Initial Patent Examination - Missing Parts	Byron S. Kuzara
COMPANY:	DATE:
USPTO	July 26, 2004
FAX NUMBER:	TOTAL NO. OF PAGES:
703-746-4060	9
Re:	OUR REFERENCE NO.:
App. No. 10/797,600	005127.00270
<i>If you do not receive all page(s) or have any problems receiving this transmission, please call:</i>	
NAME:	PHONE:
Lesa Wolman	503-425-6800

COMMENTS:



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Fee Sheet (1 page)

Submission of Missing Parts of Nonprovisional Application (2 pages)

Declaration (2 pages)

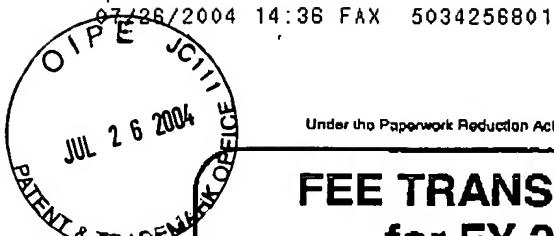
Copy of Notice to File Missing Parts of Nonprovisional Application (2 pages)

Serial No. 10/797,600

Attorney Docket No. 005127.00270

This collection of information is required by 37 CFR 1.8. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.8 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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FEET TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 1306

Complete If Known	
Application Number	10/797,600
Filing Date	3/11/04
First Named Inventor	JP Sparnplato, et al.
Examiner Name	TBD
Art Unit	3711
Attorney Docket No.	005127.00270

METHOD OF PAYMENT (check all that apply)

Check Credit card Money Other None
Order

Deposit Account:

Deposit
Account
Number

19-0733

Deposit
Account
Name

Banner & Witcoff, LTD.

The Director is authorized to: (check all that apply)

Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) during the pendency of this application
 Charge fee(s) indicated below, except for the filing fee
to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
1001 770	2001 385	Utility filing fee	770
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1)			(\$ 770)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

	Extra Claims	Fee from below	Fee Paid
Total Claims	33 -20 --	= 13 X 18 = 234	
Independent Claims	5 -3 --	= 2 X 98 = 172	
Multiple Dependent	0	X 280 = 0	

Large Entity	Small Entity	Fee Description
Fee Code (\$)	Fee Code (\$)	
1202 18	2202 9	Claims in excess of 20
1201 88	2201 43	Independent claims in excess of 3
1203 290	2203 145	Multiple dependent claim, if not paid -- Reissue independent claims over original patent
1204 88	2204 43	-- Reissue claims in excess of 20 and over original patent
1205 18	2205 9	
SUBTOTAL (2)		(\$ 406)

*or number previously paid, if greater. For Reissues, see above.

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
1051 130	2051 65	Surcharge - late filing fee or oath	130
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 420	2252 210	Extension for reply within second month	
1253 950	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	
1403 290	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 640	2503 320	Plant issue fee	
1480 130	1480 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17 (a)	
1808 180	1808 180	Submission of Information Disclosure Statement	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2009 385	Filing a submission after final rejection (37 CFR § 1.129(b))	
1810 770	2010 385	For each additional invention to be examined (37 CFR § 1.128(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	
Other fee (specify) _____			
*Reduced by Basic Filing Fee Paid			
SUBTOTAL (3)			(\$ 130)

SUBMITTED BY

Name (Print/Type)	Byron S. Kuzara	Registration No. (Attorney/Agent)	51,255	Telephone	503-425-6800
Signature	<i>Byron S. Kuzara</i>			Date	7/26/04

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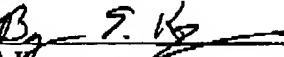
This collection of information is required by 35 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 18 minutes to complete. Including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Certificate Of Transmission

I hereby certify that this correspondence is being transmitted by facsimile to the United States Patent and Trademark Office at telephone number (703) 746-4060 on July 26, 2004.

Respectfully submitted,

By: 
 Byron S. Kuzara
 Registration Number 31,255
 Banner & Witcoff, Ltd.

**PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re Application Of:)	Att.: Box Missing Parts
)	
JP SPAMPINATO, et al.)	Group Art Unit: 3711
)	
Serial No. 10/797,600)	Examiner: TBD
)	
Filed: March 11, 2004)	Docket No. 005127.00270
)	
For: TESTING APPARATUS)	

SUBMISSION OF MISSING PARTS OF NONPROVISIONAL APPLICATION

Commissioner for Patents
 Alexandria, VA 22313

Sir:

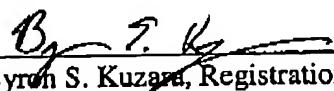
Pursuant to the Notice to File Missing Parts of Application dated May 27, 2004,

Applicants hereby submit their executed Declaration in the above Application. The Commissioner is hereby authorized to charge deposit account 19-0733 for a total of \$1,306.00, which includes the basic filing fee of \$770.00, \$234.00 for 13 claims over 20, \$172.00 for 2 independent claims over 3, and the \$130.00 surcharge as set forth in 37 C.F.R. §1.16(e). Should any additional fees be necessary, the Commissioner is authorized to charge the cost of the additional fees to deposit account 19-0733.

The submission of these missing parts is timely filed by virtue of their filing by facsimile on July 26, 2004. However, should any additional extension or fee be required for the filing of these papers, such extension is requested and the Commissioner is hereby authorized to charge said fee to our Deposit Account No. 19-0733.

Respectfully submitted,

By:


Byron S. Kuzara, Registration No. 51,255

Banner & Witcoff, Ltd.
1001 G Street, N.W.
Washington, D.C. 20001-4597
Telephone: 503-425-6800

Dated: July 26, 2004



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (e) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/797,600	03/11/2004	JP Spampinato	005127.00270

22909
 BANNER & WITCOFF, LTD.
 1001 G STREET, N.W.
 WASHINGTON, DC 20001-4597

RECEIVED

JUN 01 2004

CONFIRMATION NO. 3894

FORMALITIES LETTER



OC000000012787411

BANNER & WITCOFF

Date Mailed: 05/27/2004



NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.63(b)

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration Surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of \$406 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$1306 for a Large Entity

- \$770 Statutory basic filing fee.
- \$130 Late oath or declaration Surcharge.

07/27/2004	JBH/ILWAN	000000088	190733	10797600
				770.00 DA
				172.00 DA
				234.00 DA
				130.00 DA
01	FC:1001			
02	FC:1201			
03	FC:1202			
04	FC:1051			

- Total additional claim fee(s) for this application is \$406

- \$172 for 2 independent claims over 3.
- \$234 for 13 total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

A copy of this notice MUST be returned with the reply.

T-L-V

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Initial Patent Examination Division (703) 308-1202
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